

# Advance Version

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the annex to Human Rights Council resolution 16/21\***

**Seychelles**

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\* The present document is being issued without formal editing.

## **I. Methodology**

1. The report is drafted in accordance with the guidelines of Resolution 60/251 dated 15 March 2006 of the United Nations General Assembly, Resolution 5/1 dated 18 June 2007 of the Human Rights Council and Decision 17/119 dated 19 June 2011 of the Human Rights Council to review the promotion and protection of human rights in the territory of the Republic of Seychelles. The report focuses on the implementation of the Universal Periodic Review recommendations accepted by Seychelles during the last review in 2016 and new developments in the promotion and protection of human rights in the territory of Seychelles. The report also highlights challenges and priorities of the Government of Seychelles to ensure the better enjoyment of human rights and fundamental freedoms by its people.

## **II. Human rights framework – developments since last review in 2016**

### **A. Legislative framework**

2. The Government remains committed and fully engaged towards the review, reform and enhancement of existing legislation, and moving towards the enactment of new laws so as to remain in the forefront of advocating for the advancement of human rights practices. Some new pieces of legislation and amendments enacted since the last review include inter-alia:

(a) The repeal of Section 151 of the ‘Seychelles Penal Code’ in 2016 thereby decriminalizing private, consensual sex between adults of the same sex, discussed in detail in paragraph 57;

(b) The ‘Education (Amendment) Act, 2017’ which aims to guarantee the rights of children and young persons conferred by the Constitution in the implementation of the Act, as well as afford to all students an equal opportunity to education and training, and promote the principles of gender equality. The amended Act also makes provision for the strengthening and application of the special education programme for children with disabilities as detailed in paragraphs 45 and 46;

(c) ‘Environment Protection (Restriction on manufacturing, importation, distribution and sale of plastic bags) Regulations, 2017’;

(d) The ‘Seychelles Human Rights Commission Act, 2018’, discussed in detail in paragraphs 17 to 20;

(e) The ‘Access to Information Act, 2018’ discussed in paragraph 115;

(f) The ‘Truth, Reconciliation and National Unity Commission Act, 2018’ as detailed in paragraph 8;

(g) The ‘Overseas Treatment Act, 2018’ which provides a framework for a highly specialised overseas diagnosis and treatment programme for the citizens of Seychelles;

(h) The ‘Employment (Conditions of Employment of Domestic Workers) Regulations, 2019’ aimed at regulating the working conditions and benefits of domestic workers in Seychelles;

(i) The ‘Anti-Corruption (Amendment) Act, 2019’ as detailed in paragraph 116;

(j) The ‘Children (Amendment) Act, 2020’ which provides for further protection of children through the abolition of all corporal punishment as detailed in paragraph 19;

(k) The ‘Anti-Money Laundering and Countering the Financing of Terrorism Act, 2020’ enacted for the prevention, detection and combating of money laundering and terrorist financing activities, and to create and empower institutions to suppress money

laundering and terrorism financing. Further details on this Act are depicted in paragraphs 103 and 104.

(l) The ‘Domestic Violence Act, 2020’ which prohibits acts of violence in the domestic context, provides for protection of aggrieved persons, provides for penalties, makes provision for services for aggrieved persons and perpetrators of domestic violence, and other related matters. Further details on this Act are set out in paragraph 30;

(m) The ‘Mental Health Care Act, 2020’, which repeals the Mental Health Act, 2006, further discussed in paragraph 47;

(n) The ‘Civil Code of Seychelles Act, 2020’ replaces the previous 1976 Code to properly reflect Seychelles' current social construct and the human rights provisions of the Constitution adopted in 1993. Notable revisions of the Code relate to children rights as stated in paragraph 25.

## **B. Institutional frameworks**

### **National human rights institutions (Recommendations 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, and 88)**

3. In 2018 the Government enacted the Seychelles ‘Human Rights Commission Act’ to clearly separate the functions and framework of the offices of the National Human Rights institution and the Ombudsman. The Act served to establish a National Human Rights Commission which is fully Paris Principles compliant, and provides for its composition, powers and functions.

4. The Commission is a neutral, self-governing, independent body. It is led by a Chairperson, a Deputy Chairperson and three Commissioners appointed by the President in consultation with the Speaker of the National Assembly. They are selected from a panel of three candidates for each post proposed by the Constitutional Appointments Authority. The Chairperson, Deputy Chairperson, and the Commissioners shall hold office for a term of 5 years, and are eligible for reappointment. The funds of the Commission shall consist of monies as may be appropriated by the National Assembly pursuant to an Appropriation Act for the purposes of the Commission, any monies received by way of donations, gifts or grants from any legal sources whether domestic or foreign, and any proceeds from sale, lease or transfer of movable or immovable property of the Commission.

5. The institution provides a medium for mediation, conciliation and negotiation. The Commission is also mandated to detect, investigate and make recommendations to the Government to address pertinent issues of human rights. Its primary concern is whether the state is fulfilling its functions and discharging its responsibility by implementing the correct procedures and processes aimed at protecting individuals’ human rights. Since its inception the Commission has initiated a coordination mechanism consisting of a central point of contact from all Government departments and agencies for the effective dissemination of information and collaboration between them and the implementing governmental bodies. In accordance to the Act, the Commission submitted in June 2020 its first annual report to the President and other relevant authorities.

6. In line with its mandate, the Commission also carries out educational programmes and trainings to the public. In December 2020, the Commission hosted its first symposium focusing on the theme ‘Right to dignity’. The event was in commemoration of the International Human Rights Day.

7. The Seychelles Ombudsman Office was created to provide citizens with a platform where they could bring forward issues regarding maladministration, human rights violations, fraud and corruption in the public sector, as well as for other grievances and complaints relating to the constitutionality of a law. Since the creation of the Human Rights Commission and the Anti-Corruption Commission, part of the mandate of the Office of the Ombudsman has shifted to these dedicated statutory institutions given their wider scope of powers in addressing such violations as mandated under the laws of Seychelles. Nonetheless, the constitutional directive of the Office of the Ombudsman still provides for

its authority to investigate and seek redress in instances of grievances relating to these violations by public officers.

8. In September 2019, an established Truth, Reconciliation, and National Unity Commission (TRNUC) began hearing cases in respect of alleged human rights abuse committed during, or in relation to, the Coup D'état of 5 June 1977, to gather, collate and analyse information and evidence, and to make decisions. The objectives of the Commission, created under the 'Truth, Reconciliation and National Unity Commission Act, 2018', are to ascertain the truth of alleged violations, to create an accurate and objective public record of alleged violations, to help bridge divisions caused by any violations, to provide closure to victims and perpetrators, rehabilitation for victims and perpetrators and decision on amnesty, and to unite the people of Seychelles around a common agenda. The sessions are public, although private hearings do take place in certain circumstances. The Commission is empowered to make recommendations for compensation as it sees fit as well as refer cases to the Attorney General's Office for prosecution.

### **Judiciary (Recommendation 118)**

9. In the course of 2020, the Seychelles Judiciary began the process of reviewing its progress made under its Vision 2020. The purpose is to reflect on the pillars and objectives over the last few years to identify the Judiciary's successes and challenges, and to understand their reasons thereof. As a result, the 'Vision 2025' was created. The full report of the strategic plan 2020-2025 will be published in the first quarter of 2021.

10. Through 2019 and 2020, management staff at the Judiciary has been given more autonomy in their respective sections (Operations, Human Resources, Finance, etc.). This gives more responsibility to civil servants, encouraging critical thinking and their ability to question any process or practice that no longer serves the Judiciary and its missions, and instils new practices that best meet the needs of the Judiciary and the public.

11. A Public Relations Officer was appointed in July 2020 to increase the Judiciary's visibility to its stakeholders, the media, and the public. This aims to further enhance transparency and access to information.

12. As of mid-2020, the media have been granted free access to all courts and are no longer required to seek permission from the Registrar of the Supreme Court or security before entering. This was enforced by the Public Relations department on the basis that the courts are public. Unless a closed hearing is taking place on sensitive matters (sexual assault especially), journalists are encouraged to cover court cases, making the courts more visible in newspapers and on television. In this way, justice is delivered in the eyes of all, rather than behind closed doors with no accountability.

13. In instances when high profile or high public interest cases take place in court, the Judiciary's legal research team drafts a media summary to deconstruct the legal jargon and make the judgments available in a language easily understood. This is facilitated by the Public Relations Officer and released to various media outlets and online. Judgments and sentences are available to the Public Relations Officer once completed, and journalists can request them for articles. High profile judgments are also uploaded to Seychelles Legal Information Institute (SeyLii), an online legal platform which can be accessed by the public.

14. The judiciary continues to clear its backlog of cases. The Courts have reduced the remaining backlog by close to three-quarters from 400 backlogged cases pending on 01 January 2018 to 112 cases on 31 December 2019. In 2019 alone, 146 backlogged cases were cleared and the average age of pending cases has dropped across the board. In 2020 the judiciary made use of technology to ensure cases were still heard despite COVID-19 gathering restrictions. The judiciary opted for more virtual hearings, 44 cases in total from the start of the pandemic until mid-December 2020.

15. During 2018 and 2019 court recording systems have been introduced into all of the Magistrates' Courts and Tribunals enabling better and quicker resolution of matters with the elimination of the need for hand written record and to ensure more accuracy. Furthermore, the case administration system (CCASS) has been implemented in the Family

and Employment Tribunals enabling more transparency of pending cases and more efficiency in their management.

16. Additionally, monthly meetings are held for Judges to discuss case management, efficiency, and identify support which they may need in effecting their duty. This is chaired by the Chief Justice and the Director of Legal Affairs who monitors whether judges are completing cases within acceptable time frames to ensure accountability and timely delivery of justice.

17. As of November 2020, the Magistrates Court with its Tribunals have obtained its own building next to the Supreme Court. Each Court has their own support staff to ensure greater independence and efficiency.

18. The Judiciary now has an active website ([www.judiciary.sc](http://www.judiciary.sc)) and Facebook page (The Judiciary of Seychelles) where updated information is uploaded regularly for public awareness.

### **III. Promotion and protection of human rights in Seychelles**

#### **A. Rights of the child (Recommendations 39, 40, 41, 42, 43, 44, 75, 76, 79, 80, 81, 112, 113, 114 and 115)**

19. Seychelles has recently passed the legislation that explicitly prohibits all forms of corporal punishment of children in all settings, including at educational institutions. The ‘Children (Amendment) Act’, 2020 defines corporal punishment as “any kind of physical punishment of a child to maintain discipline or to enforce a rule in the exercise of parental authority, or rights or authority derived from having charge, custody, access, care, maintenance, or control of the child”. Following the coming into force of this Act in May 2020, the National Council for Children (NCC) is taking the lead in educating parents through various programmes on alternative methods of disciplining children.

20. The President appointed a Child Law Reform Committee (CLRC) with effect from June 2020, which is chaired by the former Chief Justice and Judge of the Court of Appeal and consists of members from the Attorney General’s Office, the Social Affairs Department, Seychelles Police, NCC and the Ministry for Education. The CLRC is supported by a technical committee to enable it to carry out its functions efficiently. The Committee was tasked with reviewing sexual offences and to propose reform of the provisions under the Penal Code. It is also mandated to review other existing legal framework applicable to children, and make recommendations for legal reform to enhance the legal protections afforded to children in line with Seychelles’ Constitution, international law obligations and best practice. This reform has become increasingly important following public outcry towards a sexual abuse case reported in April 2020 involving girls ranging from 12 to 18 years old. The case was a first-of-its-kind in Seychelles and has resulted in shock and outrage among residents.

21. The Committee has done extensive work and proposed a modern sexual offence legislation which will be submitted to the government during the first quarter of 2021 for consideration. The Committee is dedicated to ensuring that the protection of constitutional rights is upheld in all its recommendations as well as ensuring clear non-discriminatory drafting of legal provisions that allow for empowerment, effective advocacy, strong policies and practices, and which are consistent in application and encourage a positive shift in attitude and behaviour at a societal level.

22. The CLRC affirmed that it will continue its work in the coming year, conduct extensive public consultation, including a dedicated Children’s Conference to ensure that voices of children are heard, and inform any new laws intended to enhance their protection, review existing laws, and recommend consequential amendments that will need to be enacted to accommodate its recommendations relating to the proposed sexual offences law.

23. Recently, the country has witnessed the adoption and consultation of progressive policies within governmental frameworks such as; the Policy approved in 2017 for children

living in care homes to safeguard them in the media, the Policy framework for Regulations and Minimum Standard of care in Children’s Care Homes that was approved in 2020, the Policy for the Seychelles’ Children’s Care Homes Standards on Monitoring and Inspection Framework which was also approved in 2020, and the policy for Suitability Checks for working with children. This last policy is expected to become law through regulations which will enforce the vetting of candidates working in children related sectors as a measure of strengthening Seychelles’ child protection system.

24. There is currently on-going work to further review the ‘Children Act 1982’ and incorporate provisions of the United Nations ‘Convention on the Rights of the Child’. The Cabinet of ministers has approved the Ratification of the ‘Optional Protocol to the Convention on a Communications Procedure’ in 2020. It now awaits approval of the National Assembly, expected for tabling during the first half of 2021.

25. The ‘Civil Status Act’ is to be amended to abolish marriage of girls under 18 years old and it will be aligned to the newly enacted ‘Civil Code 2020’. The amended Civil Code also equalises the rights of all children which under the previous Civil Code distinguished illegitimate from legitimate children and restricted the rights of adulterine children.

26. The ‘Children (Amendment) Act’, 2020 also serves to designate the Department responsible for children affairs as the Central Authority to discharge the duties imposed by the ‘Convention on Protection of Children and Cooperation in respect of Intercountry Adoption’, 1993, and the ‘Convention on the Civil Aspects of International Child Abduction, 1980’, as ratified by the Republic.

27. The ‘Risk Assessment Framework’ launched in March 2014 is continuously used as a tool by social workers and other child protection agencies to assess risks and needs of children and families once a case is identified. Necessary referrals are done to relevant government agencies to provide services or assistance to address the identified needs.

28. The Police Child Protection Team was set up in February 2015 and falls under the purview of the Police Force. It is dedicated to handle investigation of reported child abuse cases and further strengthen the child protection structure. The team moved from the main Police headquarters closer to the Social Services Office resulting in speedy investigation and prosecution of child abuse cases.

29. The country continues sensitization through the media on the prevention and combating of child abuse and ill-treatment, as well as through awareness raising sessions at the school and community level. Theme days such as ‘Child Protection Week’ and ‘Universal Day of the Child’ are utilized to further sensitise children and the public. The NCC also conducts on-going campaigns and workshops such as on the promotion of the ‘Convention on the Rights of the Child’.

## **B. Rights of women (Recommendations 26, 27, 28, 29, 30, 31, 32, 33, 34, 41, 44, 75, 76, 77, 78, 96, 97, 109, 110, 111, 113, 115 and 117)**

30. The Government has replaced the previous Family ‘Violence (Protection of Victims) Act’ with a new ‘Domestic Violence Act’, 2020. The Act condemns domestic violence, provides for protection of victims, and covers a wide range of acts that amount to domestic violence such as physical, verbal or psychological, and economic abuse. The Act caters for the duties of the police, social services, as well as other services that provide relief to victims, and makes provision for continued training of service providers. Whilst the Act makes provisions for the punishment of perpetrators of domestic violence, it also provides for their rehabilitation.

31. The CLRC has also contributed to the evaluation of Seychelles laws in the context of gender based violence and child protection by drawing from evidence on domestic practices and inputs, and equate them with international and regional norms. It found that whilst the Penal Code provides certain protection against sexual offences for both women and children, laws have to be introduced to give full effect to the protection. Subsequently, a range of new offences will be recommended in relation to rape such as sexual grooming, the use of intimate images and sexual communication with children through social media

and other digital platforms. Furthermore, harassment offences such as cat calling, flashing, blackmail and more are also to become punishable by law under the proposed legislation.

32. More stringent obligations are to be imposed on police, prosecutors, social services and judges when investigating and adjudicating sexual offences, including the enhancement of protection for persons living with disabilities.

33. The National Gender Policy was officially launched in 2016, and reinforces the government's objectives to ensure gender mainstreaming (GMS). The policy aimed to provide support that brings about positive changes in society, allowing Seychellois citizens to reach their full potential by removing gender barriers. The policy is part of the broader government duty in the implementation of the Sustainable Development Goals, 'Convention on the Elimination of All Forms of Discrimination against Women', and regional instruments which focuses explicitly on eliminating gender bias. The National Gender Action Plan, which is intended to be proposed to Cabinet, supplements the gender policy framework which is a key component of the GMS implementation in the country.

34. The Government continues to commemorate 'Orange Day' and '16 Days of Activism against Gender Based Violence' every 25<sup>th</sup> November to 10<sup>th</sup> December, with these days being utilized to raise awareness on gender based violence.

35. Stereotypical attitudes about the roles and responsibilities of women and men in the family and in society remain, and needs to be overcome in order to fully recognise and achieve gender equality in the public and private spheres. For instance, there is a need to increase the participation of men in child-raising and other domestic duties. Entrenched gender stereotypes can also lead to men and women specializing in specific skills and sectors, such as manufacturing and nursing professions. Despite the forgoing, it is to be noted that many women in Seychelles occupy highly respected and prominent positions such as Ministers, Principal Secretaries, CEOs and Governor of the Central Bank. There are also many women owning their own businesses.

### **C. Trafficking in persons (Recommendations 54, 84, 85, 86, 87 and 98)**

36. The establishment of a high level National Coordinating Committee on trafficking in persons under the 'Prohibition of Trafficking in Persons Act, 2014' has brought together various frontline agencies in the prohibition, prevention and combating of this crime. The Committee is tasked to coordinate and oversee the national response and the implementation of the various strategies put in place to address trafficking. The Committee meets on a regular basis and addresses current affairs relating to trafficking in persons in the country. The Police takes the lead in the investigation of any reported cases of trafficking, and the Employment Department assists with information where required, especially when involving migrant workers.

37. The Committee initiated the setting up of a hotline whereby members of the public can report on possible cases, the adoption of a National Labour Migration Policy, an updated Seychelles' National Action Plan against human trafficking 2019-2021 with the support of the International Organization for Migration (IOM) and the Southern African Development Community, and the organisation of a regional dialogue on migration that was hosted by Seychelles in August 2019 with the support of IOM and the Indian Ocean Commission.

38. To date, reported cases involve primarily labour exploitation of foreign nationals, particularly in the construction and manufacturing sectors. While little data is available on forced labour, indicators of it have been detected by labour inspectors as well as by non-governmental organizations promoting the rights of workers in Seychelles. These indicators include the withholding of wages, excessive overtime, confiscation of travel and identity documents, restrictions of movements, debt bondage, use of threats and deception.

39. In 2017, the Government prosecuted its first case of trafficking which involved migrant workers, victims of forced labour in the construction sector. Consequently, a multi-sectorial Task Force was created by the Employment Department in 2018 to inspect the accommodation of non-Seychellois workers and their working conditions. The task force is

comprised of representatives from the Departments of Employment, Immigration & Civil Status and Environment, the Ministry of Health, the Planning Authority, Licensing Authority, Fire and Rescue Services Agency, Department of Risk and Disaster Management, the Registration Department and the Police. There have also been cases of suspected trafficking of women transiting through the Seychelles, as Seychelles is a visa-free country.

40. The National Labour Migration Policy launched in 2019 includes provisions related to preventing trafficking such as fair and effective recruitment practices, bilateral agreements with countries of origin, and once there is a formal charge with the court, the possibility for non-Seychellois workers presumed trafficking victims to work with another employer under an approved structure established by the Employment Department, for the duration of the contract signed. The Policy also proposes for a special court or tribunal to be created to expedite hearing of presumed cases of trafficking.

41. In 2019, Seychelles initiated inter-governmental discussions to conclude bilateral Agreements on labour cooperation with countries having the largest migrant worker population in Seychelles. The aim of this was to curb unfair recruitment practices which may lead to the violation of the rights of the workers, as well as increase the risk of the workers being rendered possible trafficking victims. These Agreements are negotiated as per the ILO standards with one Agreement having been signed in 2019, and two currently undergoing negotiations.

42. Seychelles continues to cooperate with international and regional organizations such as the United Nations Office on Drugs and Crime in combating trafficking. At present there are plans to provide law enforcement officers with refresher trainings.

43. On 30<sup>th</sup> July 2019, Seychelles commemorated the World Day against Trafficking where the then Vice President of the Republic addressed the National Assembly on the crime of trafficking, and renewed the Government's commitment and efforts to combat it. The address highlighted the grave violation of human rights that trafficking in persons carries and recognized it as the modern day slavery. The address further called upon the public to be mindful and attentive to human trafficking and to have a sense of collective responsibility in upholding the concerned legislations and policies.

#### **D. Persons with disabilities (Recommendations 96, 110, 143, 144, 145, 146, 147 and 148)**

44. The National Strategic Framework for Disability has been finalized and 'Leaving no one behind' is the theme being adopted by the country. The government endeavours to promote inclusivity and empower and support the individuals and their families through appropriate programmes.

45. In the 'Education (Amendment) Act, 2017' provisions are made for the effective integration of children with disabilities under the special education programme. It allows for the provision of educational programmes for students of compulsory school age who by reason of intellectual, communicative, behavioural, and physical or multiple exceptionalities, are in need of special education. The law also caters for students entitled to a special education to have the programme delivered in the least restrictive and most enabling environment. The programme is developed in consultation with professionals or experts in the field, having regard to the educational needs and rights of children. The programme may also be extended to students beyond compulsory school age.

46. Efforts have been made to include children with disabilities within mainstream schools and to make schools more accessible through advocacy, the provision of human and material resources, educational programmes, and physical infrastructure. A Special Education Needs (SEN) Unit has, within the last year, been re-established, with one Principal Education Officer for Special Needs and two Senior Education Officers. The SEN Unit works with students and parents, and provides consultation and professional supervision to the SEN Coordinators and other personnel in the schools, with the objective of increasing physical, curricular, and communication access for students with disabilities.

An effort is made for all schools to have a SEN Coordinator (SENCOs) and a specialist room to support students with diverse educational needs to access the school programme. At present, 21 out of 25 primary schools and 10 out of 11 secondary schools have SENCos.

47. The ‘Mental Health Care Act, 2020’ provides for mental health care and services for persons with mental illness and seeks to protect, promote and fulfil the rights of such persons during delivery of mental health care and services and other related matters. The Act is in line with the ‘Convention on the Rights of Persons with Disabilities’.

48. Seychelles continues to adopt and promote comprehensive policies that will allow the highest potential for development of persons with disabilities. This begins with national immunization programmes helping curtail preventable disabilities, and the provision of free health care programmes including paediatric consultation, speech therapy, physiotherapy, occupational therapy, audiology, hearing tests and adaptive aids.

49. The disabled are further assisted through programmes and structures such as: support services provided to children, family members, health and social services professionals; the provision of psychologists, counsellors, personal support to students with visual impairments in mainstream and special education centres; access arrangements for students during National and International exams such as adjustment in font size for students with visual impairments, arrangements for extra time, and assignment of a scribe. Efforts are being made at the level of Day Care Centres and home-based child-minding facilities to establish standards, introduce programmes, and raise knowledge and skills relating to early learning and development so as to provide targeted support in the pre-school years. The request for assistive devices such as Braille machines, screen reading software, modified furniture, and communication boards to support students in mainstream and special schools has been made; however, there is a lack of teacher training and preparedness in working with these devices. The Ministry of Education’s long term plans is to ensure that future school buildings are accessible. Current plans include building of ramps in existing schools, and building of at least one accessible toilet in each school.

50. The Centre for children who are Deaf or have hearing loss was set up in 2010 in partnership with the Association for Persons with Hearing Impairment. The Autism Support Centre is being set up by Autism Seychelles (a parent-led association) with some support from government and private sponsors. This Centre will provide specialist education programmes for children and serve as a resource centre for parents and professionals. One of the Senior Education Officers from the SEN Unit works closely with the Centre and helps support students with autism in both mainstream schools and School for the Exceptional Child. The Centre is located within the grounds of a mainstream primary school.

51. Parents of children with disabilities are included in case conferences where individual education plans are reviewed and other decisions are made on school placement. All children including children with disabilities are admitted to either mainstream schools or special schools/centres. The vast majority of children attend mainstream schools, with children in special schools/centres making up less than 0.01% of the student population. Children who are not registered for school by their parents are consulted and supported to register in collaboration with health and social services.

52. An assessment is conducted for all children referred for admission to the School for the Exceptional Child. This is coordinated by the School Psychology Service and includes inputs from parents, school personnel and in the majority of cases, health personnel. Children’s experience and progress in different school settings are considered when taking final decision of which school placement option is in the best interest of the child.

53. It is the practice that most children who exhibit delays in their development or are diagnosed with a disability are initially admitted to mainstream schools, in some cases with a one to one ‘carer’ (aide), identified by the parents and funded by the Agency for Social Protection. For the past three years, 4 to 6 children per year have been admitted straight to special schools when they became eligible for pre-school/kindergarten enrolment. This includes children with severe congenital medical conditions and multiple disabilities, sensory difficulties, Down syndrome, and Autism Spectrum Disorder. Students in mainstream schools may later be admitted either part time or full time to the School for the

Exceptional Child as the mainstream school programme becomes less flexible, academically and socially demanding, and the staff to student ratio increases. However, part-time attendance in mainstream schools or School for the Exceptional Child may apply for some students.

54. The School for the exceptional child which was established in 1994 for students with special needs and disabilities aged from three and a half to sixteen years remains fully committed in providing adequate education to the disabled. Seychelles also remains cognizant that excluding persons with disabilities from the world of work has tangible costs for society. Acquisition of skills, leading to self-sufficiency and independent living, is one of the services provided through the Vocational Unit of the National Council for Disabled Persons.

55. On 24<sup>th</sup> November 2020 in commemoration of the United Nations World Children's Day, a blind young girl delivered a landmark address to the National Assembly, pointing out the challenges faced by disabled children in Seychelles, calling upon the listeners to take these matters to heart and find the best solutions for the disabled in moving forward.

#### **E. Sexual orientation (Recommendations 45, 46, 47, 48, 49, 50, 51, 52 and 53)**

56. Seychelles is party to the International Covenant on Civil and Political Rights (ICCPR) and recognizes the inherent right to dignity of each citizen. Article 27 of the Constitution of Seychelles guarantees equal protection of the law including the enjoyment of the rights and freedoms set out in the Seychelles Charter of Fundamental Human Rights without discrimination. This entails that citizens who feel aggrieved on the basis of their sexual orientation may freely seek redress.

57. In June 2016 following extensive intergovernmental and public consultation, the Government repealed Section 151 of the Seychelles Penal Code that criminalized private, consensual sex between adults of the same sex. The offence previously subjected the offender of felony and liable to imprisonment for fourteen years, although, notably, no citizen had ever been tried in Seychelles under this offence.

58. In 2016 a Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) group was registered in Seychelles and since serves as a forum where the members can engage actively on issues that have direct impact upon them. They provide education and awareness programmes to the public on issues such as sexual orientation, non-discrimination, and stigmatization.

59. The Government continues to consult on whether and to what extent legislations can be amended to better guarantee the Constitutional rights of all its citizens regardless of sexual orientation.

#### **F. Media and press freedom (Recommendations 55, 56, 57, 58, 120, 122 and 123)**

60. Since its inception in 2010, the Seychelles Media Commission (SMC) continues to foster its objectives in preserving the freedom of the media, maintain high standards of journalism, and to encourage media houses to act in a non-discriminatory manner that respects human dignity. Article 3(3) of the SMC Act of 2010 provides for the Commission to be independent of any direction or control of any person or authority in the performance of its functions.

61. In 2017, the role of the Chairperson and Chief Executive Officer (CEO) of the SMC were separated. The Chairperson is selected by the Seychelles Constitutional Appointments Authority. The CEO is appointed by the Board after a due process of vacancy notification and interview of applicants. The CEO is an ex officio on the Board. Three out of the eight ordinary members of the Commission are selected by the President. The five other members are appointed from candidates proposed by the National Assembly, the Judiciary,

the Department of Information, the Civil Engagement Platform for Seychelles and the Association of Media Practitioners in Seychelles.

62. The SMC Code of Conduct, dated since 2013, is currently under review and all media houses have been invited to be part of this exercise. The Code is formulated in consultation with the local media association. The Code seeks to mediate disputes between complainants and media houses amicably, without having to resort to legal redress through Courts. The main challenge faced by the SMC is compliance with their rulings. Given that the SMC does not have the power to impose sanctions when their rulings are not respected, journalists and media houses have disregarded these on many occasions. An internal review of the SMC Act took place in 2018 and the SMC is in the process of requesting an amendment to its Act, which will allow monetary fines to be imposed in instances of non-compliance.

63. Whilst the Courts have decided that provisions of the Penal Code relating to Defamation is not unconstitutional, the Government has itself not filed any defamation cases. Instead, citizens have sought civil remedies. So far no criminal sanctions have been imposed by the courts. Defamation cases are not filed solely against media houses but also against private citizens. The SMC created an Editors' Forum in 2013 where issues concerning the media are discussed. The aim the forum is to foster good relationship between the SMC and the media and between media houses. The issue of defamation was discussed in the 2018 forum and will be tabled again this year.

64. Seychelles signed the Media Freedom Pledge at the Global Conference for Media Freedom in July 2019. Alongside other Commonwealth countries, it is working to advocate for media freedom and safety of journalists and hold to account those who harm journalists for doing their job.

65. The SMC intends to compile and review all domestic legislations that govern media in Seychelles. This exercise seeks to identify gaps and possibility for new laws and to help protect the works of media practitioners in the country. As part of this exercise, the SMC will be hosting a forum in 2021 whereby all local stakeholders with an interest in media laws will come together to discuss the various issues, as well as identify new opportunities through their experience and best practice.

66. Over the past few years the Government has engaged increasingly with the Media such as through the holding of regular Press conferences with the Office of the President and other governmental departments including Health, Finance, Education and Employment. These platforms have provided opportunities of addressing questions of their choice without restrictions or vetting.

## **G. Elections (Recommendation 116)**

67. The 'Elections (Amendment) Act' and 'Political Parties (Registration and Regulations) (Amendment) Act' was enacted in 2020 with the main objective of the reforms being to review the electoral legal framework for the furtherance of democratic principles, effective representation and the creation of conditions that are conducive to fair electoral competition.

68. Seychelles underwent General Elections in October 2020. Due to the COVID-19 pandemic, only one international election observer was present, the Eastern Africa Standby Force. Local observers included civil society organization, the Citizens Engagement Platform Seychelles. All observers had to abide by the Code of conduct for election observers released by the Electoral Commission in September 2020.

69. In January 2021, the Electoral Commission presented its report on the General Election to the President of the Republic, which will also be made available to the public.

## H. Penitentiary system (Recommendations 36, 87, 104, 105, 106, 107, 108 and 134)

70. In 2017 the Government recognised the need for reforms in the prison system and consequently a high level committee for prison was set up. This came as a result of upheavals and unrest in prison in 2016. There has been significant progress to reengage and motivate rehabilitation programmes which are key to the proposed reforms.

71. The new prison management in support of restorative justice initiatives, and with technical assistance from the United Nations Office on Drugs and Crime, developed a comprehensive approach in support of restorative justice. In 2018 the 'Project Phoenix' was expanded with three distinct programmes involving male and female inmates. Over 50% of inmates are actively engaged in this programme with the participation and collaboration of companies. The 'Resettlement day release Program' which falls under the Project continues with renewed emphasis. Similarly, the 'Licence to be at large Program' was given new emphasis under the Project, affording inmates actively and positively engaged in the Phoenix Project the opportunity to apply for consideration.

72. There has been significant refurbishments and construction work undertaken within the prison facilities. Within the male block works have been done on residential units focusing on the living conditions, addressing lighting issues, circulation and more hygienic approaches in general. A mother and baby unit was relocated to the main female residential unit.

73. Prison staffs have participated in online courses on the Nelson Mandela Rules (NMR) as part of their training. This aims to align the prison services' operations to the NMR for humane treatment of prisoners. With the aim of having adequate human resources and security to maintain the prison service, prison staff from the Tanzanian Prison Service has been seconded to assist in the Seychelles Prison through the conclusion of a Memorandum of Understanding.

74. Consistent with drug addiction measure a 'Methadone' program was introduced in prison in February 2019 where 52 inmates initially enrolled on the programme. Currently there are 114 individuals enrolled, 12 of which are on remand and 102 who are convicts (101 males and 1 female).

75. Furthermore, there is a new prison Strategic Plan in place although there have been stresses on the operations of the prison service amidst the COVID-19 pandemic. It is to be noted that currently there are no inmates who have been registered as positive cases, and additionally, prisoners are being considered as a priority in the on-going vaccination campaign to combat the virus.

76. Despite challenges, the prison service remains committed, engaged and compliant to relevant local and international standards. The Prison strives to operate under and promote the national theme of 2020 which was "Towards a professional service".

77. Currently, there is no formal structured education programme set up in the prison, though there has been a partnership with the Seychelles Institute of Distance & Open Learning for literacy programmes for inmates. The programme has now been suspended due to the COVID-19 pandemic. There are also convicts who were doing their distance learning online Degree and Recognition of Prior Learning studies. Inmates who are interested in pursuing their studies further have had discussions with the Prison management who are in communication with the University of Seychelles. Opportunities are therefore available for inmates who are willing to pursue formal education and are encouraged by the Prison Service.

78. The Government fully supports women inmates in the form of healthcare, mentoring, counselling and rehabilitation programmes with the assistance of several agencies such as the Ministry of Health, Social Affairs Department, NGOs and Faith Based Organizations. These programmes aim to facilitate inmate re-integration in the society upon their release. It further allows for continued bonding between female inmates and their children. Currently, the female prison population stands at 13. The Prison service promotes health friendly environment facilities promoting breastfeeding for expectant mothers. The

female unit has a ‘Mother-Baby unit’ which accommodates incarcerated nursing mothers with a child under 18 months old. Expectant incarcerated mothers are also provided with pre-natal care and a children’s playground has been introduced for children visiting their parents.

79. There is currently a Steering Committee engaged in the discussion regarding the re-opening of a Juvenile detention centre which closed down in 2008. This work is currently facing budgetary and human resource constraints.

## **I. Employment (Recommendations 50, 51, 87, 96, 98, 99, 126, 127 and 128)**

80. The Labour Monitoring and Compliance (LMC) Section of the Employment Department conducts workplace inspection in order to verify compliance with the ‘Employment Act’ and the Occupational Safety and Health (OSH) Decree. Visits are conducted for both local and expatriate workers and in the event of non-compliance to the law, enforcement actions are taken. The LMC Section is also custodian of the National OSH Policy and the National Policy on HIV/AIDS in the workplace which also respectively applies to migrant workers.

81. Migrant workers are equally protected as nationals under the ‘Employment Act 1995’. The Act also provides for non-discrimination on account of age, gender, race, colour, nationality, language, religion, disability, HIV status, sexual orientation, political, trade union or other association, in the recruitment or other employment decisions.

82. The Welfare Unit within the Labour Migration Division in the Employment Department is tasked with the responsibility of conducting an induction program for all new non-Seychellois workers entering the country in collaboration with their respective employers. The program aims at sensitizing non-Seychellois workers on the laws, rights and responsibilities while in Seychelles. It is also a means to provide the workers with a point of contact in the Employment Department should they have any concerns. This is further re-emphasized with the distribution of leaflets stipulating the different rights under the laws as well as contact number and address of the Department. The leaflets are currently translated into three main languages with plans for translation into other languages.

83. Seychelles has a binding statutory national minimum wage enforced by labour inspectors since 2008 and it applies to all workers in Seychelles. The Employment (National Minimum Wage) (Amendment) Regulations was enacted in 2019 and served to increase the national minimum wage.

84. The Employment Bill 2018 and the Labour Migration Policy 2019 have incorporated the concept of equal pay for work of equal value. Employers shall respect the level of salary applicable to the post that has been established according to qualifications and/or experience. Allowances relevant to the post shall be equal for the respective workers regardless of their nationality.

85. In 2020, following financial constraints created by the COVID-19 pandemic, the government established the ‘Seychelles Employee Transition Scheme’, a temporary programme to assist private sector employees who are made redundant during the period of 01<sup>st</sup> July to 01<sup>st</sup> December 2020, which focuses on reskilling individuals to enable them to find other employment opportunities. The Government also provided salary assistance to locals under a special ‘Financial Assistance for Job Retention’ scheme created in April 2020. The scheme also covered foreign workers for duration of three months.

## **J. Education (Recommendations 42, 43, 76, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141 and 142)**

86. The Government has recently enacted the legislation that expressly prohibits teachers or persons employed by a school to administer corporal punishment as disciplinary measures in schools.

87. The 'Education (Amendment) Act, 2017' increases the years of compulsory education for children by one more year, thereby ensuring that all children fully complete their Secondary education.

88. Provision is made under the 'Personal, Social and Civic Education' compulsory subject in the national curriculum to educate students on topics such as Seychellois identity and citizenship, rights and responsibilities of the child in the Constitution, the rule of law, the election process, branches of government, the 'Convention on the Elimination of all Forms of Discrimination against Women' and the 'Convention on the Rights of the Child'.

89. There are currently two policies within the educational structure which caters for the completion of educational programmes for secondary and post-secondary girls in order that they may pursue their studies after child birth. In secondary level, the Teenage pregnancy Policy (2005) allows for continued access to education after delivery based on the student's choice. In Professional centres, the Pregnancy Policy (2019) is designed to assist and support expectant learners or new parents during the period of their training programme of study.

90. The government continues to face the challenge of shortage in the supply of qualified teachers and continues to rely heavily on the recruitment of expatriate teachers. The government nonetheless continues to strive in its efforts to satisfy the demand of the education system. The Seychelles Institute of Teacher Education and the University of Seychelles provides training programmes for teachers from Diploma to Master's Degree level. In 2020 the Ministry of Education launched the Teacher Management and Development Policy to enhance the status of the teaching profession. To attract young people to the teaching profession, the Aspiring teachers Programme was launched in 2015 and the Aspiring teachers Club was launched during Teacher's week 2020 in all secondary schools.

91. The 'Tertiary Education Act, 2011' dictates for 10 professional centres to provide youth and adults with different technical and vocational skills allowing them to later seek employment in different sectors of the economy including in education, health, fisheries, tourism, agriculture, and entrepreneurship education, amongst others.

92. The Ministry of Education places great importance on Technical Vocational Education and Training (TVET) in the education system which has been integrated at the secondary level since 2011. In January 2018 a special programme established whereby two pathways of studies were introduced for the fourth and fifth year of compulsory secondary education; the General Education and Skills Development (GESD) Pathway and the Academic and Technical Education (ATE) Pathway. The programs are open to all students, although the GESD caters for a larger number of students in the technical and vocational field where secondary four students spend three days in schools and two days in the industry and the secondary five students spend two days in school and three days in the industry. The government intends to build a new technical school to better cater to the need of the students opting for the GESD pathway. This project has been delayed due to the COVID-19 pandemic.

## **K. Health (Recommendation 129, 130 and 131)**

93. Health education continues to be given to both boys and girls at school level. The Personal, Social and Civic Education subject has been institutionalized into the national school curriculum, and includes sex education in primary and secondary schools. Continuous talks are organized by the Ministry of Health to youths at school, district and national level on various topics, including HIV/AIDS, Pap smear tests, contraceptives, adolescent pregnancy, sexually transmitted infections and cancers of reproductive organs, including Screening opportunities.

94. In 2016, the Employment Department, in collaboration with social partners, introduced the Seychelles HIV/AIDS Workplace Policy in recognition of the impact of HIV/AIDS in the workplace. This sought to support national efforts being made to reduce the spread of HIV/AIDS, minimize the impact of the disease in the working population, and

to support workers living with HIV/AIDS. Taking into account existing legislation prohibiting discrimination and protecting the safety and health of workers, it recognized the workplace as an appropriate place to offer HIV/AIDS information and education, while also promoting the 10 key principles of the ILO Code of Practice on HIV/AIDS and the World of work as basis for action on HIV/AIDS.

95. The principal source of potable water on the main islands are numerous freshwater rivers and streams, however, extreme rainfall patterns causes their flow to at times be erratic with frequent prolonged periods of drought. Four desalination plants compensate for water shortages during the dry period. The national Public Utility Corporation stores, treats and distributes potable water. There are occasions where meeting demands become challenging during the dry season resulting in frequent water supply cuts.

96. The Ministry of Health introduced an Adult vaccination campaign against German measles and measles in February 2020 which ended in September 2020. The aim of the vaccination campaign was to ensure that a high level of the population developed the immunity against the two highly infectious viral diseases and eliminate the indigenous transmission of measles and German measles among the population in Seychelles.

97. Since the start of the COVID-19 pandemic, the Ministry of Health has continuously developed and implement a response plan aimed at preventing and reducing transmission of the virus and preventing associated illness and death, while also mitigating the effect of the pandemic on the broader health system and the economy. The plan includes the monitoring of indicators to assess progress in implementation of strategies, identifying and addressing gaps, and mitigation. On 10<sup>th</sup> January 2021, the Government launched its vaccination campaign against the pandemic, beginning with the vaccination of high level officials, health care workers and workers of essential services, thereafter targeting the remaining population with the aim of vaccinating 70% of the population by March 2021.

## **L. Environment and climate change (Recommendations 149 and 150)**

98. The Environment Department has recently reviewed the Environment Protection (Ozone) Regulations of 2010 to include the provisions of the Kigali Amendment to the Montreal Protocol which Seychelles accepted in 2019. The regulations are expected to come into force by February 2021 at the latest. In addition, the Government has also worked on additional legislations, namely the Environment Protection (Environmental Levies) Regulations, 2021 which introduces the following environment levies; 5% on refrigerant gas and equipment with 500 – 2000 GWP (Global Warming Potential), 10% on refrigerant gas and equipment with 2000 – 3000 GWP and 15% on refrigerant gas and equipment with 3000 GWP and above, and the Value Added Tax (Amendment of First Schedule) Regulations, 2021 to allow VAT exemption on imported refrigerants gas and equipment having zero Ozone Depleting Potential and very low (less than 10) Global Warming Potential.

99. The Department continuously holds workshops with stakeholders on the importance of using and/or importing equipment with natural refrigerants/low GWP instead of equipment containing ozone depleting substances. Its Ozone Unit also develops educational material to sensitize the population on the importance of the Ozone layer and how we can work together to protect it. This is all geared to gradually phase down the use of Hydro Fluro Carbons (HFCs) in Seychelles.

100. Seychelles is promoting a more ambitious climate action through its revised and up scaled Nationally Determined Contributions (NDCs) and its Third National Communication to be presented at COP26 in November 2021. This is about Seychelles playing its part in global efforts to urgently deliver more ambitious climate action, always cognizant that this action needs the support of committed partners consistent with the Paris Agreement goals and 1.5° C pathways. Seychelles' advocacy as a SIDS is the cornerstone of the call for the IPCC Special Report on 1.5° C which demands for greater ambition from governments worldwide.

101. Various local NGOs have also contributed significantly in efforts to raise awareness and mitigate the effects of climate change in Seychelles. Several activities including beach clean-ups and recycling have been held over the past years with participation of the public. An NGO led campaign to ban single use plastics in Seychelles became successful with the passing of the Environment Protection (Restriction on manufacturing, importation, distribution and sale of plastic bags) Regulations, 2017. The Government also plans to ban the importation and sale of balloons as part of on-going measures to protect the environment, intended to take effect in April 2021.

#### **M. Religion (Recommendations 102 and 121)**

102. The government recognises and respects the existence of different religions, faiths and denominations in Seychelles. Whilst the largest believers are Roman Catholic Christians, the faith and beliefs of all citizens are respected and guaranteed as provided for in the Constitution and in line with international norms. The country currently has an Interfaith Council (SIFCO) which brings together religious leaders and representatives of the various religions. One of SIFCO's main purposes is to come together in addressing matters such as social ills, human rights, amongst others. It allows for respectful dialogue taking into account the needs of society at different points in time. SIFCO has on different occasions also met with high officials of the government, including with the President, on matters of national interest. SIFCO equally engages in consultations vis-à-vis the review of laws and policies within the country, organised forums and occasionally participate in international programs.

#### **N. Anti-money laundering (Recommendation 119)**

103. Seychelles has recently gone through significant Anti-Money Laundering and Combating the Financing of Terrorism (AML/CFT) legislative reform with the enactment of a new 'AML/CFT Act, 2020' and 'Beneficial Ownership (BO) Act, 2020'. The enactment of these two key legislations depicts the country's efforts to address deficiencies identified in the country's legal framework highlighted in the 2017 National Risk Assessment and the 2018 Mutual Evaluation Report. The implementation of the AML/CFT and BO laws seeks to promote transparency and better align the country's legal framework to international standards.

104. The new AML/CFT Act replaces the previous AML Act and caters for the legal establishment of the National Anti-Money Laundering and Countering the Financing of Terrorism Committee (NAC), the transition of the Financial Intelligence Unit (FIU) to an administrative model with renewed focus on receipt, analysis and dissemination of relevant information, sectorial supervisory approach by the Central Bank of Seychelles and the Financial Services Authority (FSA) to supervise institutions under their regulatory purview, and the FIU to supervise Designated Non-Financial Businesses and Professions (DNFBPS) and high-risk Non-Profit Organisations (NPOs), the provision of dissuasive and proportionate sanctions for non-compliance, the provision of investigative powers to the relevant law enforcement authorities, and the establishment of an Asset Recovery Fund to be managed by the Ministry responsible for Finance.

#### **O. Policing (Recommendations 103 and 104)**

105. The Seychelles Police Academy provides training for members of the Seychelles Police Force who attend a full time course before starting their duties. New recruits to the Force follow an Advanced Certificate course which contains one module on Basic Approaches to Human Rights. This module includes legal sources of human rights in Seychelles with particular emphasis on Constitutional provisions, international Human Rights instruments and institutions mandated with safeguarding human rights. The module also covers the role of police officers with regard to respect of human rights particularly rights of arrested and detained persons (including rights of minors and women) and their treatment, interrogation, care and custody. The training also covers legal and administrative

procedures and rules which should be followed by police officers such as the procedures under the Criminal Procedure Code and the Judges Rules.

## **IV. Cooperation with international human rights mechanisms**

### **A. Reporting commitments (Recommendations 90, 91, 92 and 93)**

106. Seychelles submitted its initial report under the ‘Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment’ in July 2018. A virtual review session with the Committee against Torture was led by the Superintendent of the Seychelles Prison Service.

107. Spearheaded by the Ministry of Family Affairs, the compilation of data and information from Government, the private sector and civil society allowed for Seychelles’ submission of the initial state party report on the ‘Convention on the Elimination of all Forms of Discrimination against Women’. Overdue since June 1993, the country submitted one report in June 2018 which covered a period from 1993 to 2009, and the last report in 2017 incorporated updates of the situation in relation to the articles of the Convention.

108. The Social Affairs department has completed the task of compiling the report under the ‘Convention on the Rights of the Child’ and will be submitting the report this year. Its last report was submitted in June 2016.

109. The Government also intends to submit its simplified report for the ‘Convention on the Protection of the Rights of all Migrant Workers’ and Members of their Families this year.

110. The submission of overdue reports under international treaties, including under international human rights mechanisms, remains a challenge for the Government due to factors such as lack of human, financial, and technical resources. In an effort to curb these challenges and increase the Government’s reporting ability, the Unit responsible for international law of the Ministry for Foreign Affairs has undertaken to establish a database of all treaty reporting obligations of Seychelles. It is also undertaking to establish a Treaty Reporting Committee to serve as the national reporting mechanism with membership of representatives of various governmental departments and agencies, as well as from the civil society and Human rights Commission. This is an essential tool which is expected to address the current reporting backlog of the country.

### **B. Ratification of human rights instruments (Recommendations 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23)**

111. Seychelles is party to all nine core international human rights treaties, having last acceded to the International ‘Convention for the Protection of All Persons from Enforced Disappearance’ on 18<sup>th</sup> January 2017.

112. The Arms Trade Treaty, ratified in November 2015, entered into force for Seychelles on 31<sup>st</sup> January 2016. This demonstrated Seychelles’ commitment to promoting humanitarian law and human rights values domestically and internationally. The treaty which is aimed at regulating the global trade in arms is important to the country given past threats, particularly maritime crimes such as piracy, suffered by the country, enabled through the use of illicitly acquired arms.

113. The Government is in the process of considering the following human rights related instruments in order to determine Seychelles’ position towards signature and/or ratification:

- Optional Protocol to the ‘Convention on the Rights of the Child on a communications procedure’;
- Optional Protocol to the ‘Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment’;

- ‘Optional Protocol to the International Covenant on Economic, Social and Cultural Rights’;
- ‘Optional Protocol to the Convention on the Rights of Persons with Disabilities’;
- ‘SADC Protocol against Corruption’;
- ‘Treaty on the Prohibition of Nuclear Weapons’.

## V. Achievements and best practices

114. Seychelles has recently acceded/ratified the following international treaties having human rights implications:

- Revised ‘Convention on the Recognition of Studies, Certificates, Diplomas, Degrees and Other Academic Qualifications in Higher Education in African States’;
- ‘International Convention for the Prevention of Pollution from Ships’ (MARPOL) Regulations: Annex III for the Prevention of Pollution by Harmful Substances Carried by Sea in Packaged Form, Annex IV for the Prevention of Pollution by Sewage from Ships, Annex V for the Prevention of Pollution by Garbage from Ships, and Protocol of 1997 to amend the Convention including Annex VI Regulations for the Prevention of Air Pollution from Ships;
- ‘International Convention on Civil Liability for Bunker Oil Pollution Damage’;
- ‘Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer’;
- ‘Convention on the Recognition and Enforcement of Foreign Arbitral Awards’.

115. The ‘Access to Information Act, 2018’ aimed at fostering good governance through enhancing transparency, accountability, integrity in public service and administration, participation of persons in public affairs, including exposing corruption, and to enforce the right of access to information enshrined in Article 28 of the Constitution. The Act also established an Information Commission which is neutral and independent.

116. The ‘Anti-Corruption (Amendment) Act, 2019’ gave the Anti-Corruption Commission greater powers to fight corruption by having the same rights, powers, authority, privileges and immunities as are already available to the Police necessary for the detection, prevention and investigation of offences under the Act. The Amendment also enables the Commission itself to undertake prosecution for corrupt practices.

117. In June 2020 the Government submitted its Voluntary National Review (VNR) report to the UN, a process through which countries assess and present progress made in achieving the global goals and the pledge to leave no one behind, part of the follow-up and review mechanism of the 2030 Agenda for Sustainable Development. The report was compiled with inputs from various government departments, agencies and civil society.

118. Seychelles has recently undergone a peaceful transfer of power, with the previous government having been in power since 1977. Both presidential and parliamentary elections took place simultaneously in October 2020. Following the results, both local and international observers have indicated that the elections were fair, credible and done in a democratic manner. A true democracy is an extremely important component of the exercise of human rights being the foundation of a fair society where rights are respected and the power is elected and sustained by the people, through the existing mechanisms. The pacific transition of power with the full participation of outgoing political leaders is an expression of this. The assumption to Office of President Ramkalawan included meetings with key leaders of the previous Government, especially his predecessor, President Faure.

119. Seychelles recognises the important role played by Non-Governmental Organisations in encouraging full engagement of the public in promoting and realising positive development in all crucial areas of society. The past two years has witnessed the noticeable presence of civil societies such as the Association for Rights, Information and Democracy (ARID) during national challenges, such as the mistreatment of foreign

nationals that grabbed the attention of the population and enticed prompt actions by the concerned authorities. Seychelles has several other prominent NGOs who carry out important work for the country through collaboration with government, public sensitisation and training on various issues as well as charity work. The Citizens Engagement Platform Seychelles (CEPS) is currently the umbrella organisation for all NGOs, providing common ground for civil society participation in development, enabling overall growth of the civil society, providing capacity development, inter-organizational/sector networking and liaison, partnership facilitation, policy engagement and the delivery of some essential services to the society.

## **VI. Conclusion**

120. Seychelles remains fully committed to the UPR process, and is cognizant of the importance of the process in promoting and protecting human rights within its own borders and across the world. Seychelles looks forward to constructive dialogues with the Human Rights Council and its fellow States, and to learning from their best practices.

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